

# EX. B (FROM DR. KITCHENS)

# Asking for Workplace Accommodations

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You love your job, your coworkers are pleasant, and your boss doesn't make impossible demands. Yet your ADHD symptoms make it hard to keep papers organized while you're juggling project details. Workplace noise and the busy atmosphere distract you, and you can't get your work done in a reasonable amount of time.

You're worried about your future. You don't need to leave. You may be able to fix what isn't working for you in your workplace.

## The Americans with Disabilities Act

In 1990, Congress passed the Americans with Disabilities Act of 1990 (<https://chadd.org/for-adults/laws-and-legal-protections/>) to improve access and create accommodations for people with various disabilities. The ADA includes ADHD as a recognized disability. For an employee who has ADHD, the act can require the employer to provide reasonable accommodations, as long as it doesn't create undue hardship for the business.

Not everyone who has ADHD is a "qualified individual" according to the ADA, says Nancy O'Mara Ezold, an employment lawyer and partner in the Philadelphia-based Ezold Law Firm.

"If a person has ADHD but it doesn't substantially limit any major life activity, then they're not going to be qualified under the ADA for any help," she says.

If you do qualify, it could mean that if you can't get work done because of noise, you might be able to ask for a private office with a door. If that's not possible, placing your desk in a non-central location, where fewer people will pass by, is a reasonable accommodation.

## When to disclose a diagnosis

You don't have to disclose that you have ADHD when you're interviewing for a job. On the flip side, if your ADHD symptoms get in the way of your work, don't wait too long.

"A lot of times people disclose that [they have ADHD] a little too late—after they've been put on probation. At that point, it probably doesn't help," says Elias Sarkis, MD, founder of Sarkis Family Psychiatry and Clinical Trials and past president of the Florida Psychiatric Society.

When you do share your diagnosis, mention the positives that apply to you: are you creative, an outside-the-box thinker with a lot of energy? Can you focus on a task that grabs your interest for a long time? Share with your employer the strengths you bring that can improve the company or help it reach its goals.

## Asking for accommodations

Ms. Ezold says most people experience one of three scenarios:

- No problem getting the job done despite having ADHD
- Wanting to request accommodations but not disclose an ADHD diagnosis
- Needing to disclose an ADHD diagnosis and request accommodations

In the first situation, there's no need to share the ADHD diagnosis since it is not affecting the ability to complete work successfully. Often someone in this scenario can find tricks and tips to manage ADHD symptoms in the workplace without involving an employer.

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Someone in the second situation might approach his manager and say something like, “The noise in the room really distracts me—is it okay for me to wear earphones while I’m working?” or “It’s distracting to me being so close to the elevator, with everyone coming and going. Would it be possible for me to move to that empty desk in the back corner?” That kind of request is general and there’s no need to say anything about ADHD. Yet you may decide you need to disclose your diagnosis when asking for more specific accommodations. You’ll want to be sure to share how making these small changes will improve your productivity.

When an employee cannot meet the requirements of the position because of ADHD symptoms, however, disclosure is often necessary. He needs to first assess whether the job is a good fit, confirming he would be successful with a few changes. If he decides it’s the conditions and not the job, he should consider carefully what accommodations he needs to be successful.

“Are there accommodations that can be helpful?” asks Dr. Sarkis. “It’s pointless to disclose if you’re not going to be able to get any accommodations, or if they aren’t going to be helpful.”

Dr. Sarkis says he meets many salespeople with ADHD who interact well with other healthcare providers but struggle to complete their paperwork. A suggestion in that case might be to ask for an administrative assistant to help.

Ms. Ezold recommends discussing your needs with your human resources department, if you have one. Let the HR officer know you have ADHD and how it’s affecting you, and then discuss ways to resolve those issues so you can do your job well. Go to the meeting with two or three realistic suggestions for changes. You may also have to provide a written confirmation from your doctor that you have a disability and any recommended accommodations. Your employers need to know exactly what they’re responding to and what the limitations of your disability are. It benefits both of you if you’re clear about yours.

### **When to get help talking with your employer**

The ADA states that as long as you are capable of meeting the “essential functions” of the job, you are entitled to help. If you haven’t yet spoken with your supervisor, and you think he or she is reasonable and understands what needs fixing and how it can be done, that’s a good place to start.

If you’ve tried every option, or your employer is pushing back, you may need to contact a workplace advocate (<https://askjan.org/>) or an attorney. Ms. Ezold says that’s definitely the way to go if your employer says your request is “unreasonable.”

“I call it leveling the playing field,” she says. “Any employee in the workplace who is up against the whole HR department by themselves and is not getting the recognition or the respect they deserve has got to have help.”

### **Dig deeper into this topic:**

- Job Accommodation Network (<https://askjan.org/>). If you have a question about workplace accommodations or the ADA and related legislation, call them.
- Succeeding in the Workplace (<https://chadd.org/for-adults/succeeding-in-the-workplace>)
- *Workplace Accommodations Can Make You and Your Employer More Successful* (<https://chadd.org/adhd-weekly/workplace-accommodations-can-make-you-and-your-employer-successful/>)
- *Workplace Accommodations: I Can Ask for Those?* ([https://d393uh8gb46l22.cloudfront.net/wp-content/uploads/2018/06/ATTN\\_08\\_13\\_WorkplaceAccommodations.pdf](https://d393uh8gb46l22.cloudfront.net/wp-content/uploads/2018/06/ATTN_08_13_WorkplaceAccommodations.pdf))
- *Talking with Employers* ([https://d393uh8gb46l22.cloudfront.net/wp-content/uploads/2018/06/ATTN\\_04\\_12\\_TalkingWithEmployers.pdf](https://d393uh8gb46l22.cloudfront.net/wp-content/uploads/2018/06/ATTN_04_12_TalkingWithEmployers.pdf))
- What Works for You in the Workplace? (<https://chadd.org/attention-article/what-works-for-you-in-the-workplace/>)
- Americans with Disabilities Act ([https://www.ada.gov/ada\\_intro.htm](https://www.ada.gov/ada_intro.htm))
- Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act (<https://www.eeoc.gov/policy/docs/accommodation.html>)

*Join the discussion: Have you successfully received accommodations for your ADHD at work?* (<https://healthunlocked.com/adult-adhd/posts/140538001/adhd-weekly-asking-for-workplace-accommodations>)

### Other Articles in this Edition

Researchers Focus on Genetic Points Related to ADHD (<https://chadd.org/adhd-weekly/researchers-focus-on-genetic-points-related-to-adhd/>)

Asking for Workplace Accommodations (<https://chadd.org/adhd-weekly/asking-for-workplace-accommodations/>)

Podcast: Making The Jump From High School To College (<https://chadd.org/adhd-weekly/podcast-making-the-jump-from-high-school-to-college/>)

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